

Board of Contract Appeals

General Services Administration
Washington, D.C. 20405

January 10, 2001

GSBCA 15343-RELO

In the Matter of LARRY D. GATEWOOD

Larry D. Gatewood, King George, VA, Claimant.

Marguerite O. Dineen, Assistant Counsel, Naval Surface Warfare Center, Dahlgren Division, Department of the Navy, Dahlgren, VA, appearing for Department of the Navy.

GOODMAN, Board Judge.

Claimant, Larry D. Gatewood, requests reconsideration of this Board's decision dated November 28, 2000. In that decision we held that he was not entitled to certain real estate expenses incurred in the sale of his residence, as the agency made a reasonable determination that the claimant's property contained land in excess of that which reasonably relates to the residence site. The record contained evidence as to the agency's valuation of the residence and excess land, and the Board relied upon that evidence to ascertain whether the agency's determination as to the valuation of the residence and excess property was reasonable.

In support of his request for reconsideration, claimant states:

In my original claim . . . I contested in principle the agency's determination that my property contained land in excess of what reasonably relates to the residence. However, the Board in its decision has ruled that the property did contain land in excess of what reasonably relates to the residence.

I now request reconsideration of the valuation of the land reasonably related to the residence and the calculation of the pro rata percentage. The Board should consider this request based upon two additional exhibits that support a more appropriate valuation and pro rata calculation: (1) an email from the local agency reviewer at NSWC Crane (Pedro DeJesus) dated July 12, 1999 and (2) an appraisal of the subject property by Gilbert Mordoh dated August 17, 1994.

Claimant now seeks to have the Board review its decision as to the relative valuation of the residence and the land which is reasonably related to it, on the one hand, and excess land, on the other. Claimant had offered arguments on this issue previously, and now offers

additional documentation and arguments, even though he had ample opportunity to submit documentation and present the arguments in support of his alternative calculation before the record was closed. Information in the possession of the claimant which could have been submitted previously is not sufficient grounds for reconsideration. Mary Ann Wilson, GSBCA 14300-TRAV, 98-2 BCA ¶ 30,039. Mere disagreement with a decision or reargument of points already made is not a sufficient ground for seeking reconsideration. Board Rule 407; Robert L. Douglass, Jr., GSBCA 14965-RELO, 00-1 BCA ¶ 30,880. Even if this were not so, the information presented now does not help claimant's position and therefore would not change our decision. The message from Mr. DeJesus suggests that an apportionment of costs be made, but does not contain any basis for making the apportionment. The appraisal by Mr. Mordoh is out of date (it was made four years before the property was sold), and it does not show separate values for land associated with the residence and other parts of the property.

The request for reconsideration is denied.

ALLAN H. GOODMAN
Board Judge